

THURSDAY, JANUARY 14, 2010

THIRD EXTRAORDINARY DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Pastor Jerry Bryant of Nashville House 2 House in Nashville, Tennessee, a guest of Senator Harper.

PLEDGE OF ALLEGIANCE

Senator Finney led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

STANDING COMMITTEE REPORTS

COMMERCE, LABOR AND AGRICULTURE

MR. SPEAKER: Your Committee on Commerce, Labor and Agriculture begs leave to report that we have carefully considered and recommend that Senate Bill No. 1 be referred to Committee on Finance, Ways and Means.

JOHNSON, Chairperson
January 13, 2010

The Speaker announced that he had referred Senate Bill No. 1 to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend that Senate Bill No. 5 be referred to Committee on Education.

WATSON, Chairperson
January 13, 2010

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The Speaker announced that he had referred Senate Bill No. 5 to the Committee on Education.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend that Senate Bill No. 5 be referred to Committee on Finance, Ways and Means.

GRESHAM, Chairperson
January 14, 2010

The Speaker announced that he had referred Senate Bill No. 5 to the Committee on Finance, Ways and Means.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 16 through 19** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 16 by Senator Kelsey.
Education -- As introduced, enacts the "Parental Choice Scholarship Act". Amends TCA Title 49, Chapter 6.

Senate Bill No. 17 by Senator McNally.
Budget Procedures -- As introduced, makes appropriations for fiscal years 2009-2010 and 2010-2011.

Senate Bill No. 18 by Senator McNally.
Bond Issues -- As introduced, authorizes the State of Tennessee, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes for certain purposes.

Senate Bill No. 19 by Senator McNally.
Budget Procedures -- As introduced, makes appropriations for fiscal years 2009-2010, 2010-2011.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 1 through 12** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

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House Joint Resolution No. 1 -- Memorials, Recognition -- O'More College of Design, 40th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1 to the Committee on Calendar.

House Joint Resolution No. 2 -- Memorials, Death -- Dr. Robert H. Montgomery.

The Speaker announced that he had referred House Joint Resolution No. 2 to the Committee on Calendar.

House Joint Resolution No. 3 -- Memorials, Personal Occasion -- Wayne and Sara Steele, 50th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 3 to the Committee on Calendar.

House Joint Resolution No. 4 -- Memorials, Death -- Frank W. De Friece, Jr.

The Speaker announced that he had referred House Joint Resolution No. 4 to the Committee on Calendar.

House Joint Resolution No. 5 -- Memorials, Retirement -- Randy Redden.

The Speaker announced that he had referred House Joint Resolution No. 5 to the Committee on Calendar.

House Joint Resolution No. 6 -- Memorials, Recognition -- Lexington High School Cheerleaders, Jefferson Award for Public Service.

The Speaker announced that he had referred House Joint Resolution No. 6 to the Committee on Calendar.

House Joint Resolution No. 7 -- Memorials, Heroism -- 168th Military Police Battalion, Tennessee Army National Guard.

The Speaker announced that he had referred House Joint Resolution No. 7 to the Committee on Calendar.

House Joint Resolution No. 8 -- Memorials, Personal Achievement -- Andrew Spiller, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 8 to the Committee on Calendar.

House Joint Resolution No. 9 -- Memorials, Personal Achievement -- Jonathan Willms, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 9 to the Committee on Calendar.

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House Joint Resolution No. 10 -- Memorials, Recognition -- Holston Baptist Association, 125th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 10 to the Committee on Calendar.

House Joint Resolution No. 11 -- Memorials, Personal Achievement -- Ike Gibson, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 11 to the Committee on Calendar.

House Joint Resolution No. 12 -- Memorials, Sports -- Surgoinville Middle School football team, Area I Small Schools Championship.

The Speaker announced that he had referred House Joint Resolution No. 12 to the Committee on Calendar.

MOTION

Senator Norris moved that Rule 83 be suspended for the purpose of allowing the Committee on Finance, Ways and Means to meet January 14, 2010, at 9:00 a.m. to hear **Senate Bills Nos. 1 and 5**, which motion prevailed.

MOTION

Senator Faulk moved that Rule 19 and Rule 38 be suspended for the purpose of making and considering the Consent Calendar consisting of the following resolutions: **House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12**, which motion prevailed.

CONSENT CALENDAR

House Joint Resolution No. 1 -- Memorials, Recognition -- O'More College of Design, 40th anniversary.

House Joint Resolution No. 2 -- Memorials, Death -- Dr. Robert H. Montgomery.

House Joint Resolution No. 3 -- Memorials, Personal Occasion -- Wayne and Sara Steele, 50th anniversary.

House Joint Resolution No. 4 -- Memorials, Death -- Frank W. De Friece, Jr.

House Joint Resolution No. 5 -- Memorials, Retirement -- Randy Redden.

House Joint Resolution No. 6 -- Memorials, Recognition -- Lexington High School Cheerleaders, Jefferson Award for Public Service.

House Joint Resolution No. 7 -- Memorials, Heroism -- 168th Military Police Battalion, Tennessee Army National Guard.

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House Joint Resolution No. 8 -- Memorials, Personal Achievement -- Andrew Spiller, Eagle Scout.

House Joint Resolution No. 9 -- Memorials, Personal Achievement -- Jonathan Willms, Eagle Scout.

House Joint Resolution No. 10 -- Memorials, Recognition -- Holston Baptist Association, 125th anniversary.

House Joint Resolution No. 11 -- Memorials, Personal Achievement -- Ike Gibson, Governor's Volunteer Stars Award.

House Joint Resolution No. 12 -- Memorials, Sports -- Surgoinsville Middle School football team, Area I Small Schools Championship.

Senator Faulk moved that all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that Rule 37 be suspended for the purpose of allowing any bills passing out of the Committee on Finance, Ways and Means for January 14, 2010, to be immediately placed on the calendar for January 14, 2010, which motion prevailed.

RECESS

Senator Norris moved the Senate stand in recess until 1:00 p.m., which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker Ramsey.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

MOTION

On motion of Senator Johnson, his name was added as sponsor of **House Joint Resolution No. 1.**

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On motion of Senators Faulk and Overbey and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 2**.

On motion of Senator Herron, his name was added as sponsor of **House Joint Resolutions Nos. 5 and 6**.

On motion of Senators Herron and Finney, their names were added as sponsors of **House Joint Resolution No. 7**.

On motion of Senators Tracy and Black, their names were added as sponsors of **House Joint Resolutions Nos. 8 and 9**.

On motion of Senator Faulk, his name was added as sponsor of **House Joint Resolutions Nos. 10, 11 and 12**.

On motion of Senator Gresham, her name was added as sponsor of **Senate Bill No. 16**.

On motion of Senators Henry and Burchett, their names were added as sponsors of **Senate Bills Nos. 17, 18 and 19**.

MESSAGE FROM THE HOUSE

January 14, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 2, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

January 14, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 1, and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

January 14, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 2, and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

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MESSAGE FROM THE HOUSE

January 14, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

January 14, 2010

The Speaker announced that he had signed the following: Senate Joint Resolution No. 1.

SIGNED

January 14, 2010

The Speaker announced that he had signed the following: Senate Joint Resolution No. 2.

SIGNED

January 14, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

MESSAGE FROM THE HOUSE

January 14, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

January 14, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 2, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

January 14, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolution No. 1, for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

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REPORT OF CHIEF ENGROSSING CLERK

January 14, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolution No. 2, for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Friday, January 15, 2010: Senate Bills Nos. 1 and 5.

This the 14th day of January, 2010.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Tate moved the Senate adjourn until 8:30 a.m., Friday, January 15, 2010, which motion prevailed.